

The Police Receiving Overly Traumatizing Equipment Changes Today (PROTECT) Act

Deb Haaland (NM-01), Henry C. “Hank” Johnson Jr. (GA-04); Ruben Gallego (AZ-07)

The problem.

The Department of Defense transfers excess military equipment to Federal, State, and county police agencies for generalized enforcement needs. The militarization of police equips police officers with weapons of war to be used against civilians. Because of racism within these institutions, communities of color are murdered by police at higher rates with these deadly weapons. The Department of Defense reports that the program has transferred more than \$6,900,000,000 worth of property since its inception. New Mexico, for example, has received over \$21,000,000 in equipment. These transfers fracture the relationship between citizens and law enforcement.

There is something profoundly wrong when the federal government provides community police with military-grade, warzone fitted material. The U.S. military is deployed into war-torn areas, but police officers are in school zones, hospitals, and neighborhoods. Communities are not war zones. Arming police officers rejects the sense of community that makes America “America” turning all interactions with police officers into “us” versus “them”.

Peaceful protestors, children, and neighbors are not enemies and should not be policed with military grade weapons. We must ensure that this supply of equipment does not simply stop – but that the stockpile is significantly reduced, and we motivate police to find better solutions than turning to the military for aid. Removing this equipment is the best way to protect our communities.

The solution.

The [PROTECT](#) Act would move to significantly demilitarize our local and state police forces. It would require that the Department of Justice create a new **Gear for Grants** program that would provide funding for de-escalation training, anti-racist training, or purchases of body cameras for officers. States and local departments that transfer military equipment back to the Department of Defense or did not receive military equipment in the previous 12 months would be given priority for these grants. Furthermore, the bill reforms the transfer program by ensuring that military equipment transfers must only be used for counterterrorism.

Background

The Department of Defense has been allowed to transfer excess military equipment to Federal, State, and county police agencies for generalized enforcement needs. Beyond armored cars, land mines, and rocket-propelled grenades, the transfers extend to undergarments, air conditioners, rifles, sonar equipment, and more¹. Departments are required to use the equipment within a year, incentivizing the police to use these purchases in the general public. President Obama issued an Executive Order on the program after Ferguson, arguing such a program weakens community trust.² This Executive Order has been since rescinded, which emphasizes how critical legislative solutions – not executive orders – are to solve this problem.

Research shows that this program is unsafe and ineffective. Increases in transfers have been shown to harm police reputation³, make police officers more violent⁴, increases assaults against police officers⁵, and have no effect on solving or stopping crime⁶.

¹ [LESO](#)

² Executive Order [13688](#)

³ Mummolo, [PNAS](#), 2018 115(37).

⁴ Delehanty et al, 2017, [R&P](#), 4(2).

⁵ Carriere et al, 2017, [PEPSPP](#) 23(3).

⁶ Bove et al., 2017, [AEJEP](#), 9(3).

Who Is Impacted?

All state, local, and tribal law enforcement are affected by this bill, because they all can receive military equipment. This bill does not end the transfer on non-military equipment – cabinets, desks, medical supplies, etc. which are helpful for local income and rural communities. However, no community needs grenade launchers, RPGs, and mine-resistant vehicles. Community relationships will be saved as we encourage law enforcement to engage more with federal grants that can help train their officers to be more culturally sensitive, promote peaceful practices, reduce the amount of military equipment on our streets, and start rebuilding our relationships.

The PROTECT Act specifically:

- Establishes that Congress finds the program created to transfer military grade weapons, the 1033 Program ineffective.
- Stops the transfer of all small arms and ammunition and limits any transfers to be related to counterterrorism.
- Creates a 'Gear for Grants' Program that gives priority to states and units of local government that give back, or do not receive, equipment from the Department of Defense in the last twelve months.
- Requires 'Gear for Grants' funding to be used for de-escalation training, anti-racist training, or purchases of body cameras for officers.